

PREVAILED

Roll Call No. _____

FAILED

Ayes _____

WITHDRAWN

Noes _____

RULED OUT OF ORDER

HOUSE MOTION _____

MR. SPEAKER:

I move that Engrossed Senate Bill 445 be amended to read as follows:

- 1 Page 7, between lines 15 and 16, begin a new paragraph and insert:
2 "SECTION 5. IC 11-10-5-1 IS AMENDED TO READ AS
3 FOLLOWS [EFFECTIVE JULY 1, 2001]: Sec. 1. **(a)** The department
4 shall, after consulting with the state superintendent of public
5 instruction and the Indiana commission on vocational and technical
6 education of the department of workforce development, implement
7 academic and vocational education curricula and programs for
8 confined offenders, by utilizing qualified personnel employed by the
9 department or by arranging for instruction to be given by public or
10 private educational agencies in Indiana. **A private entity that**
11 **provides educational services under this section is subject to laws**
12 **that apply to the facility including laws concerning criminal history**
13 **checks of employees of the facility.**
14 **(b)** The department shall include special education programs, which
15 shall be governed under IC 20-1-6-2.1.
16 **(c) The academic and vocational education curricula and**
17 **programs implemented under this chapter must be:**
18 **(1) consistent with the state's academic standards under**
19 **IC 20-10.1-16 and IC 20-10.1-17;**
20 **(2) offered in a manner that allows an offender to qualify for**
21 **a diploma upon successful completion of the state's**
22 **requirements for high school graduation or for a general**
23 **educational development diploma under IC 20-10.1-12.1; and**
24 **(3) provided by teachers who meet the requirements specified**

1 **under IC 20-6.1-3.**

2 **The department shall encourage an offender to pursue a high**
 3 **school diploma.**

4 **(d)** To provide funding for development and implementation of
 5 academic and vocational education curricula and programs, the
 6 department may accept gifts and apply for and receive grants from any
 7 source.

8 SECTION 6. IC 12-24-1-10 IS ADDED TO THE INDIANA CODE
 9 AS A **NEW** SECTION TO READ AS FOLLOWS [EFFECTIVE JULY
 10 1, 2001]: **Sec. 10. (a) Any academic and vocational education**
 11 **curricula or program that is provided to patients of a state**
 12 **institution must be:**

13 **(1) consistent with the state's academic standards under**
 14 **IC 20-10.1-16 and IC 20-10.1-17;**

15 **(2) offered in a manner that allows patients of the state**
 16 **institution to qualify for diplomas upon successful completion**
 17 **of the state's requirements for high school graduation; and**

18 **(3) provided by teachers who meet the requirements specified**
 19 **under IC 20-6.1-3.**

20 **(b) The superintendent of a state institution may contract with**
 21 **a private or public entity to provide educational services in**
 22 **academic and vocational education programs provided to patients**
 23 **of the state institution. A private entity that provides educational**
 24 **services under this section is subject to the laws that apply to a**
 25 **state institution, including laws concerning criminal history checks**
 26 **of employees of the state institution.**

27 SECTION 3. IC 16-33-3-12 IS ADDED TO THE INDIANA CODE
 28 AS A **NEW** SECTION TO READ AS FOLLOWS [EFFECTIVE JULY
 29 1, 2001]: **Sec. 12. (a) Any academic and vocational education**
 30 **curricula or program that is provided to clients under this chapter**
 31 **must be:**

32 **(1) consistent with the state's academic standards under**
 33 **IC 20-10.1-16 and IC 20-10.1-17;**

34 **(2) offered in a manner that allows clients to qualify for**
 35 **diplomas upon successful completion of the state's**
 36 **requirements for high school graduation; and**

37 **(3) provided by teachers who meet the requirements specified**
 38 **under IC 20-6.1-3.**

39 **(b) The director may contract with a private or public entity to**
 40 **provide educational services in academic and vocational education**
 41 **programs provided to clients under this chapter. A private entity**
 42 **that provides educational services under this section is subject to**
 43 **the laws that apply to the center, including laws concerning**
 44 **criminal history checks of employees of the center.**

45 SECTION 7. IC 16-33-4-9 IS AMENDED TO READ AS
 46 FOLLOWS [EFFECTIVE JULY 1, 2001]: **Sec. 9. (a) The children of**
 47 **the home shall be:**

- (1) taught and treated in a manner that promotes the children's physical, intellectual, and moral improvement; and
- (2) trained in habits of industry, studiousness, and morality.

(b) The superintendent of the home:

- (1) shall afford to the children of the home literary, art, technical, and industrial education as can reasonably be provided;
- (2) may conduct a school at the home, which must be accredited, or may otherwise arrange for the education of the children in county reorganized schools near the institution; and
- (3) shall make certain that a child attending a county school receives instruction that is not inferior in any respect to the curriculum offered in a school possessing a first class commission from the state.

The academic and vocational education curricula and programs conducted under subdivision (2) must be consistent with the state's academic standards under IC 20-10.1-16 and IC 20-10.1-17 and offered in a manner that allows children of the home to qualify for diplomas upon successful completion of the state's requirements for high school graduation. The academic and vocational programs conducted under subdivision (2) must be provided by teachers who meet the requirements specified under IC 20-6.1-3.

(c) If a school is maintained at the home, the superintendent shall do the following:

- (1) Cause to be provided the proper educational materials for use in the school.
- (2) Employ the necessary teachers.

(d) A person who teaches in a department of the school must be qualified and properly certified by the ~~Indiana state professional standards board of education~~.

(e) The superintendent may contract with a private or public entity to provide educational services in academic and vocational education programs conducted under this section and section 10 of this chapter. A private entity that provides educational services under this section is subject to the laws that apply to the home, including laws concerning criminal history checks of employees of the home.

SECTION 8. IC 16-33-4-10 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2001]: Sec. 10. (a) The superintendent shall establish and maintain a vocational school on the grounds of the home and maintain suitable facilities in which vocational trades and arts are taught. **A school established and maintained under this section is subject to the vocational education curricula and program requirements of section 9 of this chapter.**

(b) The superintendent may utilize donated money or state money without limitation to finance vocational construction projects that are:

- (1) authorized by the budget agency; and

(2) in accordance with designs approved by the public works division of the Indiana department of administration."

Page 8, between lines 31 and 32, begin a new paragraph and insert:
SECTION 10. IC 20-12-0.5-8 IS AMENDED TO READ AS
FOLLOWS [EFFECTIVE JULY 1, 2001]: Sec. 8. The commission shall have the following powers and duties:

(1) To develop, continually keep current, and implement a long range plan for postsecondary education. In developing this plan, the commission shall take into account the plans and interests of the state private institutions, anticipated enrollments in state postsecondary institutions, financial needs of students and other factors pertinent to the quality of educational opportunity available to the citizens of Indiana. The plan shall define the educational missions and the projected enrollments of the various state educational institutions.

(2) To consult with and make recommendations to the commission on vocational and technical education within the department of workforce development on all postsecondary vocational education programs. The commission shall biennially prepare a plan for implementing postsecondary vocational education programming after considering the long range state plan developed under IC 20-1-18.3-10. The commission shall submit this plan to the commission on vocational and technical education within the department of workforce development for its review and recommendations, and shall specifically report on how the plan addresses preparation for employment.

(3) To make recommendations to the general assembly and the governor concerning the long range plan, and prepare to submit drafts and proposed legislation needed to implement the plan. The commission may also make recommendations to the general assembly concerning the plan for postsecondary vocational education under subdivision (2).

(4) To review the legislative request budgets of all state educational institutions preceding each session of the general assembly and to make recommendations concerning appropriations and bonding authorizations to state educational institutions including public funds for financial aid to students by any state agency. The commission may review all programs of any state educational institution, regardless of the source of funding, and may make recommendations to the governing board of the institution, the governor, and the general assembly concerning the funding and the disposition of the programs. In making this review, the commission may request and shall receive, in such form as may reasonably be required, from all state educational institutions, complete information concerning all receipts and all expenditures.

1 (5) To submit to the commission on vocational and technical
2 education within the department of workforce development for its
3 review under IC 20-1-18.3-15 the legislative budget requests
4 prepared by state educational institutions for state and federal
5 funds for vocational education. These budget requests shall be
6 prepared upon request of the budget director, shall cover the
7 period determined by the budget director, and shall be made
8 available to the commission within the department of workforce
9 development before review by the budget committee.

10 (6) To make, or cause to be made, studies of the needs for various
11 types of postsecondary education and to make recommendations
12 to the general assembly and the governor concerning the
13 organization of these programs. The commission shall make or
14 cause to be made studies of the needs for various types of
15 postsecondary vocational education and shall submit to the
16 commission on vocational and technical education within the
17 department of workforce development its findings in this regard.

18 (7) To approve or disapprove the establishment of any new
19 branches, regional or other campuses, or extension centers or of
20 any new college or school, or the offering on any campus of any
21 additional associate, baccalaureate, or graduate degree, or of any
22 additional program of two (2) semesters, or their equivalent in
23 duration, leading to a certificate or other indication of
24 accomplishment. After March 29, 1971, no state educational
25 institution shall establish any new branch, regional campus, or
26 extension center or any new or additional academic college, or
27 school, or offer any new degree or certificate as defined in this
28 subdivision without the approval of the commission or without
29 specific authorization by the general assembly. Any state
30 educational institution may enter into contractual agreements with
31 governmental units or with business and industry for specific
32 programs to be wholly supported by the governmental unit or
33 business and industry without the approval of the commission.

34 (8) If so designated by the governor or the general assembly, to
35 serve as the agency for the purposes of receiving or administering
36 funds available for postsecondary education programs, projects,
37 and facilities for any of the acts of the United States Congress
38 where the acts of Congress require the state to designate such an
39 agency or commission. However, this subdivision does not
40 provide for the designation of the commission by the governor as
41 the recipient of funds which may be provided by acts of the
42 United States Congress, received by an agency, a board, or a
43 commission designated by the general assembly.

44 (9) To designate and employ an executive officer and necessary
45 employees, to designate their titles, and to fix the compensation
46 in terms of the employment.

(10) To appoint appropriate advisory committees composed of representatives of state educational institutions, representatives of private colleges and universities, students, faculty, and other qualified persons.

(11) To employ all powers properly incident to or connected with any of the foregoing purposes, powers, or duties, including the power to adopt rules.

(12) To develop a definition for and report biennially to the:

(A) general assembly;

(B) governor; and

(C) commission on vocational and technical education within the department of workforce development;
on attrition and persistence rates by students enrolled in state vocational education.

(13) To ensure that if a state educational institution provides an academic or vocational education program to students in kindergarten through grade 12 the program is consistent with the state's academic standards under IC 20-10.1-16 and IC 20-10.1-17.

SECTION 11. IC 20-15-2-14 IS ADDED TO THE INDIANA CODE AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2001]: **Sec. 14. (a) Any academic and vocational education curricula or program that is provided under this chapter must be:**

(1) consistent with the state's academic standards under IC 20-10.1-16 and IC 20-10.1-17;

(2) offered in a manner that allows students to qualify for diplomas upon successful completion of the state's requirements for high school graduation; and

(3) provided by teachers who meet the requirements specified under IC 20-6.1-3.

(b) The superintendent may contract with a private or public entity to provide educational services in academic and vocational education programs established under this chapter. A private entity that provides educational services under this section is subject to the laws that apply to the school, including laws concerning criminal history checks of employees of the school.

SECTION 12. IC 20-16-2-14 IS ADDED TO THE INDIANA CODE AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2001]: **Sec. 14. (a) Any academic and vocational education curricula or program that is provided under this chapter must be:**

(1) consistent with the state's academic standards under IC 20-10.1-16 and IC 20-10.1-17;

(2) offered in a manner that allows students to qualify for diplomas upon successful completion of the state's requirements for high school graduation; and

1 **(3) provided by teachers who meet the requirements specified**
2 **under IC 20-6.1-3.**

3 **(b) The superintendent may contract with a private or public**
4 **entity to provide educational services in academic and vocational**
5 **education programs established under this chapter. A private**
6 **entity that provides educational services under this section is**
7 **subject to the laws that apply to the school, including laws**
8 **concerning criminal history checks of employees of the school."**

9 Renumber all SECTIONS consecutively.

(Reference is to ESB 445 as printed April 6, 2001.)

Representative Oxley